

Appl. No. : 09/910,422
Filed : July 20, 2001

BEST AVAILABLE COPY**REMARKS**

In the December 28, 2005 Office Action, the Examiner provisionally rejects Claim 22 under the judicially-created doctrine of double patenting; objects to Claims 23-25 as being dependent upon rejected Claim 22; rejects Claims 27-29 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,424,678 by Doberstein, et al., in view of U.S. Patent No. 5,960,028 by Okamoto, et al.; and allows Claims 1-8, 12-21, and 30-34. Applicants request reconsideration of the rejections in view of the foregoing amendments and the following comments.

Double Patenting Rejection of Claim 22

The Examiner provisionally rejects Claim 22 under the judicially-created doctrine of double patenting as being unpatentable over Claim 16 of co-pending Application No. 09/910,477. The undersigned is also the attorney of record for co-pending and related Application No. 09/910,477.

Without acquiescing to the Examiner's rejections, Applicants have canceled Claim 16 in co-pending Application No. 09/910,477. Accordingly, Applicants request the Examiner to withdraw the provisional rejection of Claim 22 in the present application.

Objections of Claims 23-25

The Examiner objects to Claims 23-25 as being dependent upon rejected Claim 22, but states that Claims 23-25 would be allowable if rewritten in independent form. In view of the patentability of Claim 22 as discussed above, Applicants decline to rewrite Claims 23-25 at this time and request the Examiner to withdraw the objections to Claims 23-25.

Discussion of New Claims 35-38

Applicants have added new Claims 35-38 herein to further define the invention as claimed. Claim 35 has been copied from Claim 16 of related and co-pending Application No. 09/910,477. Claim 16 had also been provisionally rejected in Application No. 09/910,477 for double patenting, but otherwise appeared to be allowable. Accordingly, Applicants request allowance of Claim 35.

Claims 36-38 depend from and further define Claim 35. Claims 36-38 are supported by, for example, Claims 23-25. Applicants respectfully submit that Claims 36-38 are patentable for at least the reasons discussed for Claim 35, and request allowance of the same.

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Rejection of Claims 27-29 under 35 U.S.C. § 103(a)

Without acquiescing to the Examiner's rejections, Applicants have canceled Claims 27-29 without prejudice herewith to speed issuance of the allowed and allowable claims. Accordingly, the rejections to Claims 27-29 are now moot. Applicants reserve the right to pursue any of the canceled claims in a continuation application.

Amendments to Claims 18 and 20.

Applicants have amended Claims 18 and 20 to correct antecedent basis.

SUMMARY

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner to withdraw the provisional rejection of Claim 22 under the judicially-created doctrine of double patenting and to withdraw the objections to Claims 23-25. Applicants further request the Examiner to allow Claims 1-8, 12-25, and 30-38 and to pass the present application to the issue process.

If there is any further impediment to the prompt allowance of the present application, Applicants request the Examiner to call the undersigned attorney of record at 310-407-3466 or at the telephone number listed below to resolve any such impediment.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: January 12, 2006

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